

REMARKS

Claims 1, 4, 6, 8, 24, and 25 are pending in this application. By this Amendment, claim 1 is amended and claim 26 is canceled. Support for the amendment to claim 1 can be found at, for example, Table 2, Plugging Material No. D, and the Rule 1.132 Declaration (to be filed shortly hereafter). No new matter is added. Applicants respectfully requests reconsideration and prompt allowance of the pending claims in view of at least the following remarks.

I. Rule1.132 Declaration

As supported by the Rule 1.132 Declaration (to be filed shortly after the filing of this Amendment), the following Table (Additional Table) supports the further amendment of claim 1. Specifically, the combination of features disclosed in the present specification support a porosity of the plugging material being "67% or greater," as evidenced by Table 2, Plugging Material No. D, and the Rule 1.132 Declaration, which includes the Additional Table provided below.

Additional Table

Plugging material No.	SiC powder average particle diameter (μm)	SiC powder blended amount (parts by mass)	Metal Si powder blended amount (parts by mass)	Pore forming agent blended amount (parts by mass)	Young's modulus (GPa)	Strength (MPa)	Porosity (%)
E1	10	80	20	10	2.2	2.5	68
E2	12	80	20	3	5.7	5.3	64
E3	12	80	20	4	3.9	4	67
E4	12	80	20	5	2.4	2.5	69
E5	8	80	20	3	5.2	4.7	61
F	12	80	20	-	5.4	7.4	50
G	12	80	20	-	15	14	48

E1 -E5: change the agent

F: change the binder

G: change the process

II. Rejection Under §112, Second Paragraph

The Office Action rejects claim 26 under 35 U.S.C. §112, second paragraph. Claim 26 is canceled in view of this rejection. Accordingly, Applicants respectfully request withdrawal of the rejection.

III. Rejections Under §103(a)

A. Rejection Over Ichikawa, as evidenced by Shaffer, and Hamanaka

The Office Action rejects claims 1, 4, 6, 8, 24, 25, and 26 under 35 U.S.C. §103(a) as having been obvious over U.S. Patent No. 5,595,581 to Ichikawa et al. (hereinafter "Ichikawa"), as evidenced by U.S. Patent No. 4,904,625 to Shaffer, in view of WO 2002/074417 to Hamanaka et al. (U.S. Patent Application Publication No. 2003/0140608 is being relied upon as the translation) (hereinafter "Hamanaka"). The rejection of claims 1, 4, 6, 8, 24, and 25 is respectfully traversed.

Ichikawa fails to disclose "the porosity of the plugging material is 67% or greater," as recited in claim 1. The Office Action asserts that Ichikawa discloses a plug porosity of 60-65% for a number of their samples (Table 2). However, Ichikawa fails to disclose that the plug porosity is 67% or greater. Thus, Ichikawa fails to disclose "the porosity of the plugging material is 67% or greater," as recited in claim 1.

Additionally, neither Shaffer nor Hamanaka cure the deficiencies of Ichikawa.

For at least these reasons, claim 1 is patentable over Ichikawa, Shaffer, and Hamanaka. Further, claims 4, 6, 8, 24, and 25 are patentable for at least the same reasons, as well as for the additional features recited therein. Accordingly, Applicant respectfully requests withdrawal of the rejection.

B. Rejection Over Hijikata, as evidenced by Shaffer, and Ichikawa

The Office Action rejects claims 1, 4, 6, 8, 24, 25, and 26 under 35 U.S.C. §103(a) as having been obvious over WO 2002/081880 to Hijikata, as evidenced by Shaffer, in view of Ichikawa. The rejection of claims 1, 4, 6, 8, 24, and 25 is respectfully traversed.

Hijikata fails to disclose and would not have rendered obvious "the porosity of the plugging material is 67% or greater," as recited in claim 1. The Office Action acknowledges that Hijikata fails to disclose the porosity of the plugging material. However, the Office Action asserts that Ichikawa cures the deficiencies of Hijikata.

As discussed above, Ichikawa fails to cure the above-recited features. Additionally, Shaffer fails to cure the deficiencies of Hijikata and Ichikawa.

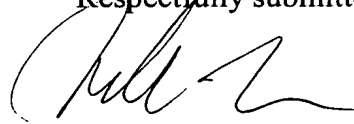
For at least these reasons, claim 1 is patentable over Hijikata, Shaffer, and Ichikawa. Further, claims 4, 6, 8, 24, and 25 are patentable for at least the same reasons, as well as for the additional features recited therein. Accordingly, Applicant respectfully requests withdrawal of the rejection.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Petition for Extension of Time

Date: April 22, 2011

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